

REMARKS

Favorable reconsideration of this application is respectfully requested in light of the following remarks, wherein Claims 1, 4, 5 and 13 have been amended.

As an initial matter, the drawings stand objected to for failing to show features of the invention as defined in the claims. In particular, the Examiner alleges that the feature of the “chamber” is not shown in the drawings. In addition, Claim 13 has been rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the Examiner alleges that it is not clear what is meant by the screw “includes a shank having a chamber.” As a result, Claim 13 has been amended to recite that the shank includes a longitudinal chamfer. This is clearly shown in the drawing and defined in the specification. Accordingly, withdrawal of the drawing objections and rejection under 35 USC §112, second paragraph, is respectfully requested.

Claims 1-8, 11 and 14 stand rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 4,655,655 to *Shurfeld*. Claims 1 and 8-14 stand rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 5,607,263 to *Nespeta et al.* Claims 1 and 8-14 stand rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 5,026,224 to *Andersson et al.*

A disclosed, nonlimiting embodiment of the present invention pertains to a rotary tool including first and second tool holders together defining a center axis and being clamped together in an axial direction by a force-applying member. The first tool body includes an axially extending male part and the second tool body includes an axially extending female part in which the male part is received. First and second guiding structures guide the first and second tool bodies relative to one another in the radial direction. The first guiding structure

includes radially outer interengaging guide surfaces disposed on the first and second tool bodies at a location adjacent outer circumferences thereof. The second guide structure includes radially interengaging guide surfaces connected to the male and female parts, respectively. These features are defined in independent Claim 1.

Independent Claim 1 has now been amended to recite that the first and second tool bodies include first and second end surfaces facing each other and disposed in non-contacting relationship when the first and second tool bodies are connected. As described in paragraph [0019], this non-contact relationship between end surfaces guarantees that contact is established between the radially outer interengaging guide surfaces. None of the art of record disclose these patentable features.

In contrast, *Shurfeld* discloses a primary and secondary holder with complementary contoured portions which allow the holders to be clamped together. As indicated on page 4 of the Official Action, the Examiner acknowledges that the first and second end surfaces facing each other are disposed in non-contacting relationship *when not connected*. In contrast, as now defined in independent Claim 1, the first and second end surfaces facing each other must be in a non-contacting relationship when the first and second tool bodies are connected. Clearly, independent Claim 1 defines over the *Shurfeld* reference.

Moreover, neither *Nespeta et al.* or *Andersson et al.* disclose these patentable features. For example, in *Nespeta et al.*, the tool holder includes a female recess that receives a complementary projection located on the tool. When the tool is assembled onto the holder, the end surfaces are in contact. A similar arrangement is disclosed in *Andersson et al.* Accordingly, both *Nespeta et al.* and *Andersson et al.* fails to disclose the patentable features of independent Claim 1.

For at least the foregoing reasons, it is submitted that the tool of independent Claim 1, and the claims depending therefrom, is patentably distinguishable over the applied documents. Accordingly, withdrawal of the objections of record and allowance of this application are earnestly solicited.


Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that she should be contacted at the number indicated below.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,

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